

# Notice of Allowability

Application No.

10/694,635

Examiner

Alexis Boateng

Applicant(s)

KAMENOFF, ROBERT

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/11/07.
2. ☒ The allowed claim(s) is/are 24 - 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



**BAO Q. VU**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Response to Amendment***

1. The affidavit under 37 CFR 1.132 filed 6/11/07 is sufficient to overcome the rejection of claim 1 based upon 35 U.S.C. 103(a) as being unpatentable over Lutz (U.S. 5,834,131) in view of Hall (U.S. 5,773,955) and in further view of Rosenbluth (U.S. 5,710,507) and in further view of Matsuyama (U.S. 2001/0004198).

### ***Allowable Subject Matter***

2. Claims 24 – 30 are allowed. The prior art does not disclose the combination of or inter alia a self heating battery comprising: a battery; a heating element for the battery; a charge protection circuit operative with the battery and comprising and comprising an operational amplifier having an output and a transistor connected to said output of said operational amplifier and operative for sensing current through the transistor by measuring its voltage drop such that when the battery is in a quiescent state the operational amplifier senses no voltage across the transistor and biases the transistor off, wherein when a charge potential is applied to the battery the transistor is off ensuring that no charge current can flow and when a charge is applied, discharge current flows such that the operational amplifier senses the forward voltage drop and when the drop exceeds a predetermined amount, the operational amplifier turns the transistor on, clamping its forward voltage drop a predetermined amount such that charge protection has minimal effect on the battery terminal voltage; and a discharge current circuit operative with said heating element for locking out the heating element

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when the battery is not in use so as to prevent the heating element from discharging the battery when stored at cold temperatures and turning off the heating element when the discharge current is high to allow the entire available energy from the battery to be delivered to a load during periods of peak demand.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexis Boateng whose telephone number is (571) 272-5979. The examiner can normally be reached on 8:30 am - 6:00 pm, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl Easthom can be reached on (571) 272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**BAO Q. VU**  
**PRIMARY EXAMINER**

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